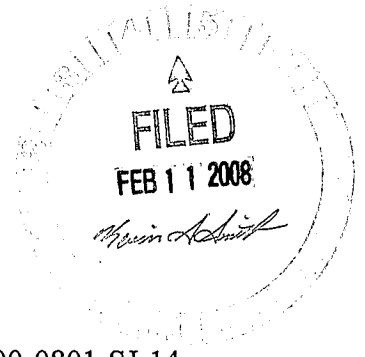


In the
Indiana Supreme Court



Ken COOMER)	Supreme Court No. 10S00-0801-SJ-14
Plaintiff)	
)	
vs.)	Case No. 10D03-0608-CC-986
)	
STEVIK PROPERTIES, LLC d/b/a)	in the Clark Superior Court
Applebys)	
Defendant)	

ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Clerk of the Clark Superior Court, and pursuant to Ind.Trial Rule 53.1, certifies this matter here for the appointment of a special judge.

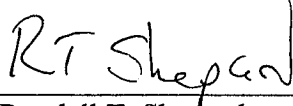
And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Clark Superior Court and Judge Steven M. Fleece. The Chronological Case Summary reveals that this case was filed before Judge Fleece, but that a magistrate, the Hon. Kenneth R. Abbott, heard the matter. The record also reveals that after Magistrate Abbott took the matter under advisement, a timely ruling was not entered.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter is remanded to the Clark Superior Court and Judge Fleece.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Steven M. Fleece, Clark Superior Court, 501 East Court Avenue, Jeffersonville, IN 47130-4029; the Hon. Kenneth R. Abbott, Clark Superior Court, 501 East Court Avenue, Jeffersonville, IN 47130-4029 and to the Clerk of the Clark Superior Court.

The Clerk of the Clark Superior Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this 11th day of February, 2008.



Randall T. Shepard
Chief Justice of Indiana